United Nations E/C.12/2017/SR.30

Economic and Social Council

Distr.: General
29 June 2017

Original: English

Committee on Economic, Social and Cultural Rights
Sixty-first session

Summary record of the 30th meeting
Held at the Palais Wilson, Geneva, on Monday, 12 June 2017, at 3 p.m.

Chair: Ms. Bras Gomes

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Initial report of Pakistan

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The meeting was called to order at 3 p.m.

Consideration of reports (*continued*)

(a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant (*continued*)

Initial report of Pakistan (E/C.12/PAK/1; E/C.12/PAK/Q/1 and Add.1)

1. *At the invitation of the Chair, the delegation of Pakistan took places at the Committee table.*

2. **Mr. Michael** (Pakistan), introducing his country's initial report (E/C.12/PAK/1), said that Pakistan was a democratic, moderate and progressive State that faced many challenges, but also had immense opportunities. The Government was aware that economic recovery and sustainable economic development were intrinsically linked to the prevailing security situation both inside and outside the country. In order to counter terrorism and extremism, the Government had introduced a number of legal and administrative measures.

3. In May 2017, the current Government had presented its fifth consecutive budget, in which it had allocated 5.1 trillion rupees (PRs) to projects that aimed to bring about inclusive and sustainable economic growth. Sound macroeconomic policies had been drawn up with a view to reducing budget deficits, strengthening the balance of payments, curbing inflationary pressure and reducing the country's dependence on foreign loans and assistance. Gross domestic product (GDP) was expected to grow by 6 per cent in real terms, inflation was expected to fall below 6 per cent, the budget deficit was forecast at 4.1 per cent, and the tax-to-GDP ratio was expected to be 13.7 per cent.

4. The minimum wage for labourers had been increased from PRs 14,000 to PRs 15,000 per month. Tax incentives had been announced with the aim of boosting the agricultural sector, small and medium-sized enterprises and the information technology sector. Initiatives to support farmers included the Kissan (farmers) Package, a crop loan insurance scheme and a livestock insurance scheme. The amount of agricultural credit made available was being increased by 43 per cent in relation to the previous year. To strengthen the housing sector, a risk-sharing scheme would be launched under which the Government would provide a 40 per cent credit guarantee for loans granted by banks and development finance initiatives for the purchasing of homes valued at up to PRs 1 million.

5. The Government had taken measures that had increased per capita income and reduced the number of persons living below the poverty line. Under the Benazir Income Support Programme, families who started their own businesses would receive training and a cash grant of PRs 50,000. Some 250,000 families were expected to benefit. In order to increase the availability of financial services, a fund of PRs 8 billion would be created by the State Bank of Pakistan to provide loans through microfinance banks to individuals with low incomes. To promote the employment of persons with disabilities, the existing 2 per cent quota for government jobs would be extended to cover public and publicly listed companies. A medium-term plan was being developed to transform the economy of Pakistan and address energy shortages in order to bring about sustained economic development.

6. A number of administrative and legislative measures had been taken to ensure the protection of economic, social and cultural rights in the country. The principles of policy set out in chapter 2 of the Constitution were justiciable and articles 25 to 27 of the Constitution prohibited discrimination on any basis. The judicial interpretation of article 25 had led to the development of an extensive body of case law covering a broad range of government activity. In practice, equal protection under the law was ensured by the right of individuals to challenge government actions in the courts and the power of the courts to invalidate acts deemed to be unconstitutional. Article 36 of the Constitution specifically provided for the protection of minorities. The Covenant was also interpreted and applied through various domestic laws, including the Pakistan Penal Code and the Code of Criminal Procedure.

7. Various measures had been introduced to strengthen the financial and administrative capacity of provincial governments, particularly in the areas of social security, housing, health care and education. Treaty implementation cells had been established in all provinces to oversee and coordinate the implementation of ratified conventions. All provinces had human rights departments which were mandated to deal with complaints. At the district level, human rights committees received complaints and monitored the human rights situation in their districts. Disciplinary committees at the departmental level took action against government officials found guilty of any unlawful action.

8. In February 2016, the Government had launched the National Action Plan on Human Rights, under which existing legislation would be reviewed to ensure that it complied with the international human rights obligations of Pakistan and was not discriminatory in any way. In line with the Plan, the implementation of which would be monitored by a task force comprising federal and provincial authorities, the National Commission for Minorities had been strengthened, the National Council for the Rights of Persons with Disabilities had been set up and the National Commission for the Rights of Children was being established. The National Commission for Human Rights and the National Commission on the Status of Women had been established and made functional by acts of parliament. Both were empowered to take action in cases of rights violations.

9. Over the previous five years, the Government had considerably increased the proportion of the budget allocated to social protection, housing, water, sanitation, health and education at the federal and provincial levels. Since 2010, the education budget had more than doubled. The number of children aged between 5 and 16 who were not enrolled in school had fallen from 25.96 million in 2012/13 to 22.64 million in 2015/16. In 2015, the installation of water, sanitation and hygiene facilities had benefited around 70,400 children, eliminating a major barrier to school enrolment and retention which particularly affected girls.

10. The National Health Vision 2016-2025 aimed to achieve universal health coverage and fairer, more efficient health financing that pooled risk and shared health-care costs equitably across the population. The National Health Programme had been launched to provide universal health coverage, particularly to those living below the poverty line. Around 100 million people would benefit from that initiative. The National Vision action plan focused on reproductive, maternal, newborn, child and adolescent health and nutrition, in line with global commitments. Tremendous progress had been achieved in the previous two years under the national Polio Eradication Programme and the National Emergency Action Plan. Only two cases of polio had been reported thus far in 2017, nine fewer than the number reported by 15 May 2016.

11. The first draft of a national food security policy had been drawn up. The Ministry of National Food Security and Research was developing the Zero Hunger Programme in collaboration with the World Food Programme to improve the food security situation in targeted districts of Pakistan. In 2015, a national infant and young child feeding strategy had been developed with support from the United Nations Children's Fund.

12. **Ms. Ravenberg** (Country Rapporteur) said that she welcomed the State party's adoption of the National Commission for Human Rights Act of 2012, anti-honour killings laws and laws prohibiting child labour in some provinces. It was not entirely clear to her, however, how the Covenant rights had been incorporated into the domestic legal order, and she would appreciate clarification in that regard. Although the Constitution of Pakistan recognized a number of human rights, it seemed that those rights were divided into two categories, only one of which was justiciable. The principles of policy set out in chapter 2, for example, appeared simply to be guidelines for the enactment of legislation, not justiciable rights. She would welcome clarification on that point. Information on cases in which the Covenant had been invoked or applied by domestic courts would also be helpful.

13. The devolution process, whereby provincial and territorial governments had been given responsibility for the provision of public services, was welcome, as it enabled such services to be tailored to the needs of local communities. However, the Committee had been informed that a lack of coordination between the federal and local levels often resulted in delays in transferring funding for social services and capacity and infrastructure for

service delivery was weak in some provinces. Could the delegation provide information on the measures taken to address regional disparities in service provision?

14. She would appreciate clarification as to whether the National Commission for Human Rights was mandated to deal with complaints regarding violations of economic, social and cultural rights and whether it had the power to investigate alleged human rights violations by the military or intelligence agencies. It appeared that the Commission was under the supervision of the Ministry of Human Rights. Furthermore, information received by the Committee indicated that the Government had taken the view that the Commission was not mandated to submit independent reports to United Nations treaty bodies, which seemed at odds with the Government's avowed efforts to strengthen the Commission as an independent national human rights institution in line with the Paris Principles. A comment from the delegation in regard would be appreciated.

15. She wished to know what measures the State party had taken in response to repeated reports of abduction, killing and intimidation of human rights defenders, lawyers and journalists; how many cases had been investigated and prosecuted; and what penalties had been imposed on perpetrators. She would also like information on measures taken to combat corruption in the public sector, strengthen the investigation of corruption cases and ensure sanctions for those found guilty. Were judicial remedies, internal oversight bodies and confidential complaint mechanisms in place? It would also be useful to receive information on measures to provide a safe environment for individuals wishing to lodge complaints of corruption and to protect complainants, whistle-blowers, witnesses and anticorruption advocates.

16. **Mr. Uprimny** (Country Task Force) said that, while he welcomed the Government's plans to increase the ratio of tax revenue to GDP, he was concerned that additional revenue might be raised through indirect taxes that would adversely affect the poorest segments of the population. How did the Government plan to avoid increasing the tax burden on low-income families? He would also like to know whether consensual same-sex relations would be decriminalized; whether the Government would consider introducing legislation that would promote reasonable accommodation for persons with disabilities and deem the denial of such accommodation to be a form of discrimination; whether individuals would be granted general legal protection against discrimination on the basis of caste; and whether the Government intended to introduce legislation banning all the forms of discrimination mentioned in the Covenant.

17. The State party was to be commended for having welcomed a large number of refugees. However, the Committee was concerned to note that, following the 2015 attack on a school in Peshawar, Afghan refugees had been harassed by the general population and the security forces, with the result that thousands of registered refugees and asylum seekers had been forced to return to Afghanistan. In the light of that situation, he wished to know whether the Government was aware that Afghan refugees were suffering abuse, what steps were being taken to prevent such abuse and whether the Government planned to extend the validity of proof-of-registration documents for Afghan refugees beyond the end of 2017. The Committee would welcome further information on the Government's policy for dealing with internally displaced persons and its plans to implement a long-term solution that would protect such persons, particularly women, children and persons with disabilities, against abuse. Lastly, the Committee would like to hear how the Government would ensure that the judiciary remained independent.

18. **Ms. Shin** (Country Task Force), noting that discriminatory laws such as the Offence of Zina (Enforcement of Hudood) Ordinance of 1979 and the Law of Evidence of 1984 had resulted in the imprisonment of thousands of women rape victims, who had been falsely charged with adultery, said that she wished to know whether such laws were considered to be discriminatory under the Constitution and under domestic law. If so, what steps were being taken to eliminate them and the practices associated with them? In view of the fact that three separate justice systems existed in Pakistan, she wondered how conflicts between the three systems were managed, what steps were being taken to consolidate them into a single system applicable to the entire national territory and how women's access to justice was ensured. Were women aware of their rights under the Covenant and were judges aware that, under its provisions, women and men were entitled to equal treatment before the law?

19. **Mr. Dasgupta**, noting that spending on education and health was extremely low in relation to GDP and that the amounts allocated were often not fully used, said that he wished to know what steps were being taken to ensure that the State party complied with its Covenant obligation to devote the maximum available resources to key areas such as health and education. The legislation in force in the areas of inheritance and marriage discriminated against women. Attempts by members of the Sindh Assembly to adopt a bill preventing the forced conversion of non-Muslim women had reportedly been blocked on the advice of the Council of Islamic Ideology, and he would like to hear what steps were being taken to ensure to secure the bill's enactment. The Constitution prohibited discrimination on the basis of religion, but also stipulated that the posts of President and Prime Minister were reserved for Muslims. He would appreciate a comment from the delegation on that apparent contradiction.

20. **Mr. Kerdoun** said that he understood that the Government was considering building a wall along the border between Pakistan and Afghanistan as a deterrent to terrorism; he would like to know whether that was in fact the case. Pakistan had been a leader within the United Nations with regard to diplomatic action to advocate for the right of all peoples to self-determination, but such action had proved unsuccessful in many cases. He would be interested in hearing the delegation's views on other means that might be used to advance the principle of self-determination.

The meeting was suspended at 4 p.m. and resumed at 4.15 p.m.

21. **Mr. Khan** (Pakistan) said that most of the rights set out in the International Bill of Human Rights had been enshrined in the Constitution. However, some of those rights were justiciable while others, known as principles of policy, were not. Every year, the Government was obliged to submit a report to parliament on the extent to which those principles of policy had influenced policymaking. In practice, the courts generally gave near equal weight to the two sets of rights and ensured that both were enforced. Moreover, when filing petitions, lawyers commonly invoked the provisions of international legal instruments such as the Covenant. In recent years, two additional fundamental rights had been added to the Constitution: the right to freedom of information and the right to education for children aged between 6 and 16.

22. Efforts were being made to establish institutional mechanisms that would facilitate coordination between the federal Government, the federal parliament, the provincial governments, the federal judiciary and the provincial judiciary. Such mechanisms included a ministerial committee established to implement educational reforms and the treaty implementation cells established at the federal and provincial levels. The National Finance Commission was responsible for allocating budgets. Some 67.5 per cent of the taxes raised were allocated to the provincial governments, which were responsible for capacity-building in the areas of education, health care and agriculture, among others. In recent years, provincial governments had established training programmes and administrative institutions and the Ministry of Human Rights had set up institutes for the purpose of training provincial officials.

23. Progressive reforms were being undertaken with a view to merging the Federally Administered Tribal Areas with the province of Khyber Pakhtunkhwa. As a result, the jurisdiction of the High Courts of Pakistan and the Supreme Court of Pakistan would be extended to ensure that all domestic legislation applied to the Federally Administered Tribal Areas. The Government had decided to allocate PRs 10 billion annually to development in those areas over a period of 10 years with a view to ensuring that they enjoyed a level of development equal to the rest of the country.

24. The Human Rights Commission had not been brought under the control of the Ministry of Human Rights. Although, for legislative and financial reasons, it was necessary for the Commission and other bodies to be attached to a ministry, that connection did not involve any sort of control. In a similar manner, the Supreme Court was attached to the Ministry of Law and Justice but was not controlled by it.

25. While it was true that the level of violence had increased as a result of the war being fought on the western front, strenuous efforts were being made to assist victims of the conflict and to protect those living in the region concerned. As part of those efforts, human

rights defenders were provided with funding for legal assistance. The courts had handed down heavy sentences to some perpetrators of violence against human rights defenders. As a result of the Government's efforts, the level of violence and the number of violent deaths had declined significantly since 2013.

26. The National Accountability Bureau was empowered to tackle corruption in the civil service and among politicians. In the provinces, a number of provincial bodies fulfilled a similar function. In order to raise citizens' awareness of the importance of fighting corruption, the Bureau had carried out campaigns at universities, colleges and other institutions, and the subject of corruption had been included in the school curriculum. A parliamentary committee composed of representatives of both houses and all political parties had been formed with a view to drafting a new law to curb corruption. Pakistan had ratified the United Nations Convention against Corruption and parliament had passed a new law that required every business concern in the country to send a global asset register to the Securities and Exchange Commission of Pakistan. A recently introduced public interest disclosures bill would give complete protection against administrative and legal reprisals to individuals who reported cases of corruption. Centres had been established that carried out forensic investigations into white-collar crime and a new federal law had been drafted that would grant protection to witnesses by enabling them to appear in court without disclosing their identities.

27. With regard to the question of maximum available resources, tax revenues in Pakistan had increased by 62 per cent and the funds allocated to development had increased three-fold over the previous three years. Responsibility for responding to requests for tax exemption now lay with the Economic Coordination Committee, which had considered only five or six such requests in the previous four years. Tax exemptions were very difficult to obtain and were usually granted only in relation to transactions between government bodies.

28. The laws of Pakistan were based on Muslim jurisprudence and common law. Under the former, homosexuality was an offence. The delegation could make no commitments in relation to homosexuality, as it was a very sensitive issue and it would be very difficult for any government to change legislation in that area.

29. Scheduled castes were not an issue in Pakistan, as they were not mentioned in the Constitution. However, there were a number of minority groups in the country, notably Hindus in Sindh Province. A law governing marriage and divorce for Hindus had been developed in consultation with representatives from that community, and another was currently being drawn up to cover the Christian population of Pakistan. While extremist views did exist in some communities, relations between the Muslim and Hindu communities were generally peaceful. Minorities were well protected under national laws, as demonstrated by the presence of Hindu representatives in the National Assembly. The Prime Minister himself showed solidarity with them by attending Hindu festivals.

30. The trichotomy of powers, which included an independent judiciary, was enshrined in the Constitution. The Government respected the judiciary as the guardians of fundamental rights and did not attempt to reverse judgments that went against it. Judicial independence was one of the basic principles in the Constitution that could not be altered, even by parliament. The courts were allocated their own budget and had full control over judicial appointments.

31. Rape had been made a criminal offence several years previously and was governed by the Penal Code rather than Muslim jurisprudence, as had been the case in the past. Changes to all legislation concerning rape and sexual offences had made investigation by the police and the provision of medical and legal assistance to victims mandatory. The loopholes that had existed in legislation governing so-called honour killings had been addressed and life imprisonment had been made mandatory for related crimes.

32. **Ms. Agha** (Pakistan) said that the National Commission for Human Rights was an independent statutory body that had full financial autonomy, in line with the Paris Principles. The Ministry of Human Rights forwarded all complaints related to human rights issues to the Commission for redress; 350 complaints, many of them concerning government departments and officials, had been forwarded in 2017 alone. A large number

of the 635 complaints received since December 2015 were being addressed through hearings, investigations and *suo moto* action by the Supreme Court for the enforcement of fundamental rights conferred by chapter I of the Constitution. The Commission had the right to contact any citizen and visit any institution in the country. Its annual budget had recently increased by 150 per cent. In cases concerning the Armed Forces, the Commission could request a report from the Government and make a recommendation on that basis, to which the Government was required to respond within three months. The legislation establishing the Commission provided that it was free of any political bias or interference. The Ministry had a national action plan to ensure that account was taken of human rights in all government activities. At local level, district human rights committees provided free legal assistance and guidance.

33. **Ms. Malik** (Pakistan) said that the National Commission on the Status of Women had worked in close partnership with the National Police Bureau to achieve a rise in the numbers of female police officers, who were trained in dealing with issues that affected women. The Domestic Violence (Prevention and Protection) Act had been passed and telephone helplines and crisis centres were now available to help women who had been abused. The Offence of Zina (Enforcement of Hudood) Ordinance had been repealed, and a new rape bill excluded any consideration of the previous experience of the woman concerned. Bills on issues related to transgender persons and women with disabilities were being drafted.

34. **Mr. Amil** (Pakistan) said that refugees were an integral part of his country's history. The most recent wave of refugees, from Afghanistan, had brought up to 5 million persons into the country at certain times. Pakistan was currently host to 1.2 million Afghan refugees and had never forcibly repatriated any of them, as shown by the outcome of the Tripartite Commission Meeting between Pakistan, Afghanistan and the Office of the United Nations High Commissioner for Refugees in July 2016. Any long-term solution to the refugee situation was contingent on peace and coexistence, which in turn depended on an improvement in the economic situation. Accordingly, Pakistan had provided a package of US$ 500 million in bilateral assistance to Afghanistan for infrastructure, education and health projects, and had then offered a similar sum for other areas of development. The Government recognized the importance of international borders and the right to self-determination and would support peaceful negotiated settlements.

35. In economic terms, Pakistan was on the right track towards development. Recent World Bank figures showed growth of 5.2 per cent in the economy, which had beneficial effects on the whole of society and had helped to restore macroeconomic progress and reduce the vulnerability of the country's citizens. The Karachi stock exchange was the top-performing exchange in the Asian region and Pakistan now qualified as an emerging market according to the Morgan Stanley Capital International index.

36. While education represented only 2 per cent of government spending at national level, it should be remembered that the provincial governments put a substantial part of their budgets into education — 28 per cent in Khyber-Pakhtoonkhwa Province, for example. Furthermore, nearly 40 per cent of children in Pakistan went to private schools. In the Federally Administered Tribal Areas and Baluchistan, a fee reimbursement scheme had benefited over 17,000 students from less developed areas and nearly 4,000 young people had gone into higher education. Funding was also available to provide skills training for young people and business development in those areas.

37. **Mr. Sadi** (Country Task Force) said that he would like to know how madrasas were being encouraged to promote human rights, rather than extremism. He would also like information on any case law related to the country's human rights institutions at any level.

38. **Ms. Shin**, welcoming the news that the Offence of Zina (Enforcement of Hudood) Ordinance had been repealed, said that she would like details of the Penal Code provisions on rape. She would also like to know whether there were any plans to revise the requirements for proof of adultery. The Committee would appreciate information on the number and percentage of women police officers at local level and details of how a woman who suffered rape in a remote area might have access to justice.

39. **Mr. Windfuhr** asked whether the national human rights institution planned to apply for A status.

40. **Mr. Uprimny** said that he wished to know whether the State party intended to move away from indirect taxes, which placed an excessive burden on low-income families, to a system of more progressive taxation. He would like to know what was being done to combat indirect discrimination against persons belonging to scheduled castes. Lastly, was the Government aware of the reported abuses committed against Afghan refugees by public officials and were proof-of-registration cards for refugees to expire, as reported, at the end of 2017?

41. **Mr. Abdel-Moneim**, recalling that, on signing the Covenant, the State party had made a declaration that the Covenant provisions would be applied subject to the provisions of its national legislation and had later replaced that declaration with another that made application of the Covenant subject to the provisions of the Constitution, asked why the change had been made and how the outcome of the second declaration differed from that of the first.

42. **Mr. Dasgupta**, welcoming the change in evidence requirements in rape cases, said that he would like to know whether there were any plans to reform the practice of sharia courts that accorded evidence given by women only half the value of that given by men. He also wished to know whether steps were being taken to address other forms of discrimination against women in the areas of inheritance and marriage. The Committee would welcome comments on reports that the Council of Islamic Ideology had blocked attempts by the Sindh Province legislature to enact a bill to prevent the forced conversion of non-Muslim women. He welcomed the new legislation governing so-called honour killings and would appreciate information on how many cases had been brought and convictions handed down under it.

43. **Ms. Ravenberg** said that she would like to know whether the State party was intending to broaden its legal definition of "minority" to include aspects such as race, language or ethnicity in addition to religion. She asked whether the Foreign Contributions Regulation Act 2015 and the policy for the regulation of international NGOs in Pakistan had been adopted. She was concerned that they placed serious restrictions on the operations of international NGOs and local NGOs that received funding from abroad, rather than supporting their work for the benefit of local communities. She would appreciate information on the number of international NGOs that had applied for recognition and the outcome of their applications, with the grounds for any rejections. It seemed that the Government had recently tasked the Ministry of Human Rights with monitoring human rights NGOs; would the delegation comment on whether that decision might have a harmful effect on the work of the groups concerned?

44. **Ms. Shin** said that she would like to see detailed data on unemployment. She would also like to know when the current census would be finalized and analysed and whether the State party intended to conduct annual stratified sampling in the years until the next census. Mention had been made of employment quotas for women, persons with disabilities and members of minorities; were they implemented in practice? On labour rights, the Committee would appreciate specific information on the number of workers covered by the many different laws applicable in the different provinces.

45. The minimum wage was very low and varied between provinces. She would like to know whether it could guarantee a decent standard of living and, if not, whether the Government was considering raising it. Workplace accidents were unfortunately a common occurrence, and she would like to hear what the authorities were doing to prevent both accidents and illness in the workplace and how workers in the informal economy, especially women in agriculture and domestic employment, were protected. Given that women frequently did not receive equal pay for doing the same work as men, it would be interesting to know whether the concept of equal pay for work of equal value was understood by employers and government officials. She would also like to hear what the Government was doing to enforce the International Labour Organization (ILO) standards on child labour and to prohibit the use of bonded labour. Labour inspections were another

area of concern, as reports indicated that, even in the formal sector, there was only one inspector for every 25,000 workers.

46. The State party's legislation imposed many restrictions on the formation and functioning of trade unions, including prohibitions on the formation of unions for a particular industry or occupation and of federations of trade unions. Furthermore, a union that represented less than one third of the total number of employees in an enterprise was not allowed to participate in collective bargaining. She would appreciate the delegation's comments on that situation and would like to see data on trade union membership and the information available to workers to make them aware of their right to join a union. It would also be useful to know how many workers were covered by social insurance schemes and whether the payments provided by such schemes were adequate.

47. **Mr. Khan** (Pakistan) said that bonded labour had been abolished in 1992 and the relevant legislation had been introduced at all levels. Bonded labour had been a particular problem in Punjab and Sindh Provinces, and programmes to address it had been introduced with the help of the labour unions. The agriculture sector, where the problem tended to take the form of slavery-like practices, was governed by separate laws. All public officials now received training on preventing such practices and the courts were very active in combating the phenomenon. Discussions had been held with ILO and the unions with a view to developing a contract agreement for workers in the carpet and brick industries, but no consensus had yet been reached.

48. **Ms. Riffat** (Pakistan) said that Pakistan had signed the fundamental ILO conventions, and the freedom of association was enshrined in its Constitution, as was the promotion of the social and economic well-being of the people. Under the Federal Industrial Relations Act 2012, both public and private sector workers had the right to form trade unions, and labour legislation, at both provincial and national level, was also applicable to the informal sector. The Industrial Relations Act adopted in Sindh Province had allowed agricultural and fisheries workers to form and join trade unions, and the other provinces were taking similar action. Legislation dating from 1995 restricted employees in the banking sector from joining unions, but meetings had been held recently with the social partners on the drafting of a code of conduct that would remove that restriction.

49. In the area of occupational safety and health, the Government fully recognized the importance of labour protection and was currently developing a national framework for that purpose. Pakistan had signed the ILO Labour Inspection Convention, 1947 (No. 81) and enacted national implementing legislation. The provinces were being encouraged to do the same and to ensure that they had adequate capacity for inspection. The Federal Consultative Tripartite Committee met each quarter to discuss labour rights, workers' welfare and related issues. Subsequent to a number of serious workplace accidents, the Baluchistan provincial government, with technical assistance from ILO, was taking steps to ensure that occupational safety and health legislation was enacted and that effective implementation mechanisms were put in place. The labour inspectorate now included female inspectors and had a dedicated training institution.

50. **Mr. Khan** (Pakistan) said that the Government recognized the need to simplify and consolidate the country's laws and had already embarked on that process with the help of ILO consultants. There had been an attempt to introduce a law to protect the rights of domestic workers, but it had not come to fruition. However, a related policy was being developed. The contribution of family members, especially women, to the economy was not always taken into account, but the Ministry of Finance was working to address that issue. Work was also ongoing on the minimum wage, which had been implemented throughout the public sector and was being extended to the private sector.

51. **Mr. Amil** (Pakistan) said that unemployment currently stood at less than 6 per cent. The outcome of the current census would improve the Government's ability to monitor such figures. The census, the results of which were currently being finalized, had been conducted in nine languages and, for the first time, had included a third gender among the options offered.

The meeting rose at 6 p.m.

United Nations E/C.12/2017/SR.31

Economic and Social Council

Distr.: General
28 June 2017

Original: English

Committee on Economic, Social and Cultural Rights

Sixty-first session

Summary record of the 31st meeting

Held at the Palais Wilson, Geneva, on Tuesday, 13 June 2017, at 10 a.m.

Chair: Ms. Bras Gomes

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The meeting was called to order at 10 a.m.

Consideration of reports (*continued*)

(a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant (*continued*)

Initial report of Pakistan (*continued*) (E/C.12/PAK/1, E/C.12/PAK/Q/1 and Add.1)

1. *At the invitation of the Chair, the delegation of Pakistan took places at the Committee table.*

2. **Mr. Khan** (Pakistan) said that Pakistan had made great strides in ensuring women's rights in the past 20 years, thanks to the adoption of numerous new laws and efforts to change mindsets and attitudes. Most recently, the Prime Minister had approved a three-year programme for the empowerment of women. Women were now better represented at the higher echelons of public administration, in the diplomatic corps and the judiciary, and among government ministers. Certain provinces had adopted laws setting a 30 per cent quota for women's representation in all government positions, and 22 per cent of parliamentarians in the national parliament and local government bodies must be women.

3. Although jirgas were rare and had been criminalized, unfortunate events involving them continued to occur, and in response the Government had adopted a particularly hard line against them. While personal law was governed mainly by Islamic jurisprudence and a few provisions of the Penal Code stemmed from Islamic law, the vast majority of the legal system was based on common law. The Prime Minister had established a Law Review Committee, whose mandate consisted in updating all civil and criminal laws. The Committee had already scrutinized most of the country's legislation.

4. The rule of primogeniture was not applicable and inheritance was governed by strict rules that were set by law on the basis of Muslim jurisprudence. According to the logic underlying that jurisprudence, women were entitled to half as much as men because they inherited from two sources: their husbands and their fathers. That practice was closely linked with Muslim culture and would be extremely difficult to change. The Government had, however, taken steps to improve the situation for female heirs. In the past, women had been forced to bring court cases in order to enjoy their inheritance rights, but the law had been amended so that property was transferred automatically and much more quickly.

5. While polygamy still existed, it was extremely rare. From the legal standpoint, polygamy required agreement in writing from the first wife or submission of an application to an arbitration council appointed by the Government. In his 33 years of legal practice he had heard of only a few cases where polygamy had been authorized. It was a criminal offence to practise polygamy without fulfilling the legal prerequisites. A recently adopted law criminalized forced marriage and further stipulated that stricter sanctions applied if the forced marriage was with a member of a religious minority.

6. **Ms. Riffat** (Pakistan) said that in 2014/15, the labour force had numbered 61 million, of whom 57 million had been employed, with 43 per cent engaged in agriculture, 22 per cent in industry and 35 per cent in services. The informal sector had accounted for 73 per cent of the workforce, and 69 per cent of workers had been located in rural areas. There had been steady improvement between 2008 and 2015 in the reduction of school dropout and poverty rates, with better employment-to-population ratios, increasing youth employment, reductions in unemployment among women and a closing of the gender wage gap. Additional statistics would be made available to the Committee in due course.

7. A national labour protection framework was currently being developed to coordinate the implementation of the various laws adopted by the provinces and ensure that the country met all its obligations under the various international labour conventions. The framework was expected to be operational by the end of July 2017. Pakistan had ratified 36 of the International Labour Organization (ILO) labour conventions, including the 8 core conventions. A national tripartite consultative committee had been established to assist in the implementation of labour conventions. The Government had drawn up an occupational

safety and health bill that had been shared with the provincial administrations, which were drafting their own legislation, in some cases with ILO technical assistance.

8. It was difficult for workers to make ends meet on the minimum wages set by the provincial governments. Extensive deliberations had been held with the provincial labour departments, and the idea of a living wage had been raised in 2016. It was important to note that workers receiving the minimum wage, if covered by the Workers' Welfare Fund, also received other benefits, including housing at nominal rates, excellent education facilities for their children and health-care services, both during their working life and after retirement. Many retired people also received subsistence allowances to supplement their old-age pensions. Social security institutions at the provincial level provided health care, education and workers' compensation.

9. The Prime Minister had initiated programmes to support employment among youth and to help them escape the cycle of poverty, including the Prime Minister's Youth Programme and the Benazir Income Support Programme. Unemployed youths also benefited from the Prime Minister's Youth Business Loan Initiative, which provided between 100,000 and 2 million rupees (PRs) of credit at subsidized rates. Half of the business loans were granted to women. Interest-free loans were also provided to families. Other programmes provided vocational training for people starting their own businesses.

10. Although there was no gender discrimination in the law, the Government acknowledged that, in practice, discrimination occurred. The Government had held discussions with the Employers' Federation of Pakistan on how to address the problem, which was also being dealt with in the context of the national labour protection framework. Activities to combat bonded labour were mainly undertaken at the provincial level. Further information on the subject would be provided to the Committee at a later date. The Government recognized that the number of labour inspectors was currently insufficient and was taking steps to fill their ranks.

11. The Constitution and the law recognized the right of all workers, except those in the military, the police and the security agencies, to form trade unions. The Government was aware of the need to support trade unionism and had engaged in tripartite discussions specifically aimed at encouraging unionization of the banking sector. Sindh Province had drafted a law for the protection of agricultural and fisheries workers, most of whom were women, thus bringing them into the formal sector and organizing the workforce in a trade union. Sindh Province and Punjab Province had adopted legislation fostering integration of home-based and domestic workers into the formal sector. The organization of home-based workers had called for the country's ratification of the ILO Home Work Convention, 1996 (No. 177). The Government favoured ratification; however, the necessary institutions and laws must first be put in place.

12. **Ms. Malik** (Pakistan) said that there were a large number of madrasas and that they were widely accepted in Pakistani society. While madrasas had taken on a negative connotation in certain circles, that reputation was not warranted. Until recently, they had been exclusively religious schools established at the grass-roots level, but had now been mainstreamed into the education system. The Ministry of Education, the Ministry of Religious Affairs and the National Counter Terrorism Authority had all worked closely with the country's largest association of madrasas to reform their curricula in order to include modern subjects and thereby improve students' qualifications and chances for employment. Selection of schools was fundamentally the prerogative of parents, but the Government monitored the subjects taught and the programmes that were implemented to ensure certain standards.

13. **Ms. Liebenberg** said that the Committee had been informed that workers in stone crushing companies in Gujranwala suffered from high rates of silicosis. She would like to hear about any steps taken to provide compensation to victims and to protect workers against silicosis. She also wished to know what specific measures were in place to protect workers against reprisals and victimization when they filed complaints or engaged in trade union activities.

14. **Mr. De Schutter** said that he would like clarification of how beneficiaries of cash transfers under the Benazir Income Support Programme were designated, as the procedure

apparently was based not on objective needs assessments but on the amount of money available. According to the State party's replies to the list of issues (E/C.12/PAK/Q/1/Add.1), the criteria were based on "available fiscal space". Was the Programme able to reach all intended beneficiaries? What measures were implemented to ensure that, notwithstanding the obstacles of high illiteracy and lack of information, beneficiaries were made aware of their rights and could claim benefits? Was the Programme rights-based or charity-based? In the event of denial of benefits, was there an independent claims procedure for challenging the denial?

15. **Mr. Windfuhr**, noting that some 250 people had perished in an industrial accident at Ali Enterprises in Karachi in 2012, asked how the Government viewed the role of labour inspectorates in preventing such accidents. He would also be interested in hearing the Government's views with regard to the responsibility of retail companies that purchased goods from Pakistani companies. He welcomed the steps taken to improve wages in the informal sector and would like to hear about any measures to provide social security for informal-sector workers.

16. **Mr. Sadi** (Country Task Force) said that the State party had sound legislation and policies for the protection of labour rights, but it appeared that they were not being applied. It was essential to take practical action, such as the hiring of more labour inspectors, to give effect to the laws. The level of the minimum wage was not in keeping with the provisions of the Covenant, which called for remuneration to be capable of sustaining a decent or adequate standard of living. Unfair wages resulted in poverty, which in turn led to security concerns. The State party could more effectively address security concerns if it reduced its spending on security per se and increased resources in support of decent remuneration and social well-being.

17. **Ms. Shin** (Country Task Force) asked whether the Government had devised any long-term plans, with fixed targets, to address labour-related issues. If so, how did it intend to secure participation by the provinces in such efforts? Was there a long-term plan to expand social security to ensure coverage for all workers? How did the Government ensure that the quotas that had been set were implemented in practice? Which trade union federation represented Pakistani trade unions during the International Labour Conference?

18. **The Chair**, noting the importance of the draft national labour protection framework, invited the Government to consider the Committee's general comment No. 23 (2016) on the right to just and favourable conditions of work, which provided guidance on many of the issues to be addressed by the framework.

19. **Ms. Riffat** (Pakistan) said that the occupational safety and health bill had been drawn up largely in response to the silicosis problem at the Gujranwala site, as the outbreak had underscored the fact that a stand-alone law to ensure workers' safety and health should be enacted at the federal level. The adoption of a federal law should prompt the provinces in turn to adopt similar legislation. Sindh Province had already adopted a range of laws on occupational safety and health. The Government acknowledged the need to increase the number of labour inspectors substantially in order to ensure the effectiveness of existing legislation. The national labour protection framework would set specific goals and action plans for the provinces to increase their labour inspection staffs. In addition, the national tripartite consultative committee, which convened four times a year, addressed such issues, providing guidance and expertise to provincial and other local labour authorities.

20. **Mr. Amil** (Pakistan) said that the Benazir Income Support Programme was a rights-based initiative and that one of its main goals was to empower women. The aim was not to provide cash handouts per se, but to bring about incremental, generational change to empower women. Because of its nature and large scope, it had encountered some teething problems, but great progress had been made, in particular in rural areas where the very fact that women for the first time had obtained access to money of their own was revolutionary. The children of such women were being raised in a new context, where the economic role of their mothers and sisters was acknowledged and recognized. Obviously, a programme of such a scale could not reach everyone overnight, and it was still extending its reach. A number of factors defined by teams in the field were considered when determining who would be best served by the Programme.

21. **Ms. Agha** (Pakistan) added that the Programme had grown over the years, with the amount disbursed rising from PRs 16 billion in 2008 to over PRs 100 billion in the current year. Over 5 million women had benefited. Poverty was estimated to have decreased by about 7 per cent in the areas where the Programme had been implemented. A demographic survey conducted in 2012 had been used as a basis for defining poverty, and a National Socio-Economic Registry was currently being developed to update the data from the survey and assess the extent to which the situation of the families served by the Programme had improved. The Registry included a self-registration component whereby women could sign up for benefits. It was already operational in 16 districts and was expected to be functioning nationally by the end of 2017. The aim was to increase the number of beneficiaries and extend the programme still further. Under the Programme, families were encouraged to send their children to primary school in return for cash transfers. Some PRs 2.9 billion had thus far been disbursed for that purpose and about 1.3 million children had been enrolled.

22. **Mr. Khan** (Pakistan) said that numerous types of quotas existed in Pakistan. Quotas made it possible to ensure representation in the federal workforce of people from the areas with the lowest levels of social and economic development. Five per cent of official posts were reserved for women and 2 per cent were reserved for persons with disabilities. Quotas had also been established for transgender persons and other groups. At the provincial level, some provinces had adopted quotas of up to 30 per cent for the employment of women at the managerial level, and proposals had been made to adopt similar quotas at the federal level. In the parliament, 20 per cent of seats were reserved for women, and women were among the most vocal and active members.

23. Pakistan was in transition from a feudal to a modern, egalitarian, fully democratic society. Attitudes had changed immensely in the previous 20 years, in particular with the ratification of a number of international human rights conventions. Campaigns for women's and children's rights and the rights of minorities and persons with disabilities, which in the past had prompted disdain, now enjoyed widespread support. He agreed that increased spending on social and economic welfare and human rights would have a positive effect on the country's security. The fact that Pakistan had for 30 or 40 years been a front-line State in a conflict-ridden region had had a highly adverse effect on the country's infrastructure and its attractiveness for investment.

24. **Mr. Michael** (Pakistan) said that, from its inception, Pakistan had ensured the rights of minority religions. The Government continued to show deep concern about minority issues and to entrust positions of power to members of minorities. He himself was a Christian, and he had served in various posts of great responsibility. Representatives of minority religions had occupied seats in the parliament and currently headed the Ministry of National Health Services, Regulation and Coordination and the excise department. Four seats in the Senate were reserved for members of minority groups. In the federal and provincial government administrations, 5 per cent of posts were reserved for minorities.

25. **Ms. Agha** (Pakistan) said that 50 per cent of microfinance loans and 12 per cent of vocational training places were reserved for women. She had been informed that the Human Rights Commission of Pakistan was in the process of preparing its annual report and would hold a meeting in that connection on 15 June 2017. Its application for A status would be submitted thereafter.

26. **Ms. Riffat** (Pakistan) said that Pakistani workers would be represented at the 106th session of the International Labour Conference by Mr. Zahoor Awan, who headed the country's most representative labour confederation. With regard to occupational health and safety, the Committee was correct in that many labour and welfare issues could be better addressed by having inspectors in place. The report "GSP-Plus and Compliance with Core Labour Standards: Pakistan's Case", which the delegation would send to the Committee, mentioned a number of steps due to be taken in that sphere. In particular, the Government had drafted guidelines for risk assessments of relevant enterprises to be carried out at the provincial level. It also planned to engage the private sector by granting licences to accredited companies to perform specific inspection tasks under the authority of the labour inspectorate. According to the Labour Force Survey 2014-2015, Pakistan had had 334 labour inspectors at that time; the figure had risen to 570 in 2017. Planned administrative reforms to be carried out under the national labour protection framework included creating

separate labour inspection authorities at the provincial level and increasing penalties for non-compliance with labour laws. Inspection reports would be published annually, in accordance with the ILO Labour Inspection Convention, 1947 (No. 81). In addition, online complaints mechanisms were being developed and inspection reporting was being computerized in the Province of Punjab.

27. **Mr. Amil** (Pakistan) said that the Federal Ombudsman Secretariat had transformed the mindset and the culture in Pakistan by making it possible to discuss and register complaints. Following the enactment of the eighteenth amendment to the Constitution and the devolution of responsibilities to the provincial assemblies, the Ombudsman had established provincial offices and had set up an online mechanism and a toll-free telephone number to receive complaints. Decisions were made within a 60-day period and unsuccessful complainants were able to appeal to the President of Pakistan. They could also turn to the courts or seek other legal remedies. Pakistani citizens living abroad could also raise grievances through the system. The number of complaints had risen from 75,000 in 2013 to 102,780 in 2015, which highlighted the Government's success in reaching out to citizens and enabling them to respond.

28. **Mr. Sadi** said that he was dismayed to learn that polygamy continued to be practised in Pakistan. The jurisprudence of the Committee made it clear that polygamy was unacceptable under the Covenant and should not be allowed under any circumstances. Moreover, although he was not an expert on sharia law, in his view the practice was incompatible with the Qur'an and should be prohibited on that basis, too. While he appreciated that measures had been taken to address honour crimes, he did not believe that the practice had been eradicated, particularly in rural areas. He would appreciate information on cases in which the State had taken action against those who killed in the name of honour. A comment from the delegation on the troubling reports of rape, gang rape, abduction and kidnapping in the country would also be welcome.

29. Noting that abortion was permitted only in order to save the life of the woman, but not in cases of incest or rape, he asked how the State party justified the prohibition of abortion in such circumstances and whether it might revisit its policy. He would welcome examples of cases in which individuals who did not respect the minimum marriage age had been prosecuted. He wished to know the status of the bill on Hindu and Christian marriage, which was apparently still under consideration in parliament. Until it passed, Hindus and Christians would continue to be subjected to norms that were not part of their religion. He would also be grateful for information on the Government's approach to birth registration, since it seemed common for infants and children not to be registered, which deprived them of rights and benefits such as health care and social security.

30. He believed that the State party would not be able to achieve true security while levels of poverty, food insecurity and child malnutrition remained persistently high and a large proportion of Pakistanis continued to lack access to adequate housing, drinking water and sanitation. The statistics he had read in relation to those problems seemed to be a prescription for insecurity and therefore he questioned why the Government was diverting resources to other areas, such as defence. Lastly, he wished to learn why the right to health was not included in the Constitution in the same way as the right to education. He was also curious as to why the Government allocated scarcely 1 per cent of GDP to health.

31. **Mr. De Schutter** said that he would welcome information on the budget allocated to the infant and young child feeding strategy and on any assessments of the strategy since its inception. He was concerned that a relatively low percentage of women practised exclusive breastfeeding for six months after birth, as recommended by the World Health Organization. He would like to know whether the Government planned to extend the coverage of the Protection of Breastfeeding and Child Nutrition Ordinance of 2002, initially implemented in Punjab, to all provinces. He also wished to know whether penalties such as fines or prison terms were effectively applied to those found to be in breach of the Ordinance, which prohibited the sale, marketing and advertising of breast-milk substitutes, in accordance with the 1981 International Code of Marketing of Breast-milk Substitutes.

The meeting was suspended at 11.50 a.m. and resumed at 12.05 p.m.

32. **Mr. Amil** (Pakistan) said that the Government had taken steps to improve the health situation in the country. The National Health Vision 2016-2025 set out a common strategy for the federal and provincial governments that was in line with the international health treaties, regulations and commitments to which Pakistan was a signatory. The Government aimed to achieve universal health coverage and to that end had launched the Prime Minister's National Health Programme targeting those living below the poverty line of US$ 2 per day. The Programme had already been rolled out in 15 districts and was providing free medical and reproductive health services to approximately 3.1 million families. The Drug Regulatory Authority of Pakistan had developed regulations for the use of medicines and medical devices, while a medicine pricing policy had been designed to ensure the provision of affordable, quality medicines to the most vulnerable groups.

33. The Ministry of National Health Services, Regulation and Coordination had developed an action plan that identified 10 priority areas — including reproductive, maternal, newborn, child and adolescent health and nutrition. A recently formulated action plan on newborn health called for the introduction of new care methods, practices and tools; upgrading of infrastructure; and capacity-building for health-care providers. The Government had implemented the Lady Health Workers Programme, which provided outreach services, including counselling and primary health care, to women, girls and infants. Those services were provided in addition to those available at maternal and neonatal health centres and other health facilities. Several developments were envisaged at the provincial level, including the expansion of a free rural ambulance service for pregnant women in Punjab.

34. The Government pursued gender mainstreaming in its policies and development plans, employing a scientific, evidence-based method that drew on numerous studies and reports on gender impacts. The Ministry of National Health Services, Regulations and Coordination had worked in coordination with the World Health Organization to develop guidelines and protocols for health-care providers. Moreover, materials had been prepared to publicly disseminate information about the Covenant so that the people of Pakistan were aware of their rights. The Government had also held capacity-building courses on human rights and health equity, which had also been replicated in a number of provinces.

35. For some 60 years, health sector expenditure had accounted for only about 0.6 per cent of GDP. Under the National Health Vision 2016-2025, however, the Government had committed to raising that figure to 3 per cent of GDP by 2025 and steps had already been taken in that direction. The health budget in Sindh Province, for example, had risen from PRs 79 billion in 2016 to 100 billion in 2017. Additional statistics on health spending would be provided in due course. Health insurance schemes were provided by the federal and provincial governments for poor and vulnerable groups. As part of a phased programme in several provinces and territories, people living below the poverty line had been issued with health cards that entitled each family to access health services valued at between PRs 300,000 and 600,000 per family per year. It was expected that 70 districts would benefit from that programme by the end of 2017 and 100 million people would be covered within five years.

36. **Ms. Malik** (Pakistan) said that the Government was cognizant of the food security situation and recognized that failing to improve nutritional outcomes would not only impede citizens' right to lead healthy and productive lives, but would also undermine economic progress. The federal Government had therefore placed nutrition at the centre of its development policies and supported the provinces in the development of nutrition programmes. The Ministry of National Health Services, Regulation and Coordination, in collaboration with provincial health departments, United Nations agencies and NGO partners, continued to prevent and treat malnutrition among vulnerable groups, especially children. Stunting prevention programmes were being implemented in selected districts with the support of the World Food Programme. The Community Management of Acute Malnutrition Programme was being implemented in districts with a higher incidence of acute malnutrition. Rules for the implementation and monitoring of the Protection of Breastfeeding and Child Nutrition Ordinance had been formulated in 2009 and all provinces had enacted similar legislation. At the national level, the promotion and advertisement of breast-milk substitutes in the media and in hospitals was prohibited and

offenders were prosecuted. Breastfeeding was seen as a natural part of Pakistani culture and tradition.

37. **Mr. Khan** (Pakistan) said that he agreed with the Committee's views on polygamy; however, even after laws were in place, it took time to deter such behaviours, which had existed for centuries. The Government had continued to address the issue in its human rights campaigns and hoped eventually to ensure that the practice was no longer accepted by society.

38. The Government had abolished all forms of pardon for honour crimes and had strengthened its investigation and prosecution regime in response to a number of serious cases. One notable case had recently occurred in Multan, in which the parents and brothers of the murdered celebrity Qandeel Baloch had been remanded in custody pending the outcome of their trial; there had been another recent case in which the perpetrators had been sentenced to death. The number of honour killings had fallen dramatically as a result of the Government's policy, which was that there was no honour in any crime and that women ought to be respected and allowed to make their own choices. The law had been amended so that perpetrators could no longer plead grave provocation as a defence. The Government was strict in dealing with crimes such as gang rape and the courts and prosecutors were fully aware of their seriousness. Those found guilty of involvement were executed, notwithstanding external pressure not to apply the death penalty.

39. Although abortion was technically a criminal offence, the law in that regard was not enforced and he had never heard of a prosecution for abortion in Pakistan. In the 1990s, the law had been amended to allow legal abortion for reasons relating to the woman's health, which could be liberally interpreted to include her mental or physical health, including in the circumstances mentioned by Mr. Sadi.

40. With regard to child marriage, it was true that girls as young as 15 had been married, especially in parts of southern Pakistan. The Government was attempting to address the issue through a multipronged strategy that sought to remove parents' chief motivation for seeking under-age marriage — namely that they considered their daughter to be a burden — by ensuring that girls were enrolled in school or vocational training. The laws had been tightened so that under-age marriage carried penalties of varying degrees of severity, depending on the region.

41. Births were registered by the National Database and Registration Authority and local government bodies had also been empowered to carry out registration, which conferred various privileges, including access to State services, the jobs market and the issuance of driving licences. Registration fees had been abolished, and non-registration was increasingly rare.

42. **Ms. Agha** (Pakistan) said that the Government was working hard to ensure access to drinking water. According to the Pakistan Social and Living Standards Measurement Survey carried out in 2010-2011, 91 per cent of the population had had access to improved drinking water sources, meaning that Pakistan had achieved the target established under the Millennium Development Goals. Drinking water quality standards had been strengthened and the quality of bottled water was regularly monitored. Groundwater was monitored by the Pakistan Council of Research in Water Resources. An action plan had been prepared to mitigate arsenic and fluoride content in groundwater. The Government had also launched a clean drinking water project in which it had installed 6,000 water filtration tanks. Provincial and district governments were installing water filtration plants with the assistance of the United Nations Children's Fund (UNICEF) and the World Bank. All provinces had developed water and sanitation policies and strategies, with Punjab and Sindh in particular allocating resources to the construction and rehabilitation of water and sewerage facilities in rural and urban areas. Water quality monitoring laboratories had been established and upgraded and water metering had been introduced to ensure the judicious use of water resources.

43. **Mr. Uprimny** (Country Task Force) said that he welcomed the inclusion of education as a fundamental right under article 25 of the Constitution, the trend towards increased spending on education, the development of a national plan of action on education and the reported increase in the average number of years of schooling. Nevertheless, the

situation with regard to the right to education in Pakistan remained poor. School enrolment was low, especially among women and girls, and consequently illiteracy rates were high. He was also concerned about the quality of education, given that only 55 per cent of children in the fifth grade were able to read. Further concerns related to the ratio of children to teachers, which had risen from 33 in 1990 to 46 in 2015, and the fact that only 50 per cent of schools had toilets, which presented a further barrier to access, especially for girls. The dropout rate was also high. Those problems reflected the low level of financing for education — about 2.5 per cent of GDP — coupled with a lack of coordination by the State since the devolution of education powers to the provinces.

44. In the light of that situation, he would welcome information on any initiatives aimed at increasing the education budget with a view to achieving universal free access for all children. It would also be useful to receive information on the mechanisms available to the State to ensure that the education budget was fully implemented in the provinces and to reduce gender, regional and income-related disparities in education. He would also like to know what steps were being taken to improve the quality of teaching and of facilities and how the State party provided education for children with disabilities and ensured access to education for the large number of internally displaced persons.

45. In his view, private schooling did not offer a good solution to the State party's problems in the education sphere, since it obliged people to pay to exercise their rights. He was concerned that private schools had proliferated to such an extent that there was a risk of a segregated education system, with children from low-income families relegated to poor-quality public schools. He wished to learn how the State party might prevent such segregation and how it monitored the quality of private schools.

46. The Committee had been disturbed by reports that school textbooks in Sindh and Punjab Provinces included content that was discriminatory against religious minorities. What actions were being undertaken to avoid such discrimination in schools? While he recognized that not all madrasas taught sectarian fundamentalism, he was nevertheless concerned that some of them engaged in an indoctrination process. How did the State ensure that children attended madrasas because their families genuinely wanted them to have a religious education and that they were not obliged to attend due to the lack of high-quality State schools? In the light of reports of attacks against schools and the use of schools by the armed forces for military purposes, he would like to hear how the Government ensured the security of schools and whether it planned to sign the Safe Schools Declaration and implement the Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict.

47. He had received figures indicating that Internet access was very limited in Pakistan and wished to know how the Government intended to guarantee universal and equal digital access. Although minority languages were protected under the Constitution, he was concerned that such protection was not being afforded in practice and would welcome information on any steps taken to ensure that minority language speakers were able to speak their language and develop their culture. The situation in relation to minority rights was also unclear and further explanation of the protections in place would be appreciated, especially for minorities other than religious minorities. The Committee would particularly like to hear how Pakistan reconciled respect for cultural and religious diversity with the Objectives Resolution in the Constitution, which established that Pakistan was an Islamic country. It would also be interesting to know whether the delegation considered that the law criminalizing blasphemy — and making it punishable by death — was compatible with respect for the cultural diversity of non-Muslims.

48. **The Chair** said that the Committee had a shared understanding of how the fulfilment of economic, social and cultural rights could assist countries such as Pakistan in addressing certain problems. She believed that in some respects Pakistan was taking strides towards modernity, while in others it was held back by negative cultural stereotypes and an inability to overcome entrenched problems.

The meeting rose at 12.55 p.m.